

## **Assembly Bill No. 1430**

### **CHAPTER 708**

An act to amend Section 85703 of the Government Code, relating to the Political Reform Act of 1974.

[Approved by Governor October 14, 2007. Filed with  
Secretary of State October 14, 2007.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 1430, Garrick. Political Reform Act of 1974: contribution limitations.

Existing law provides that, for the purposes of contribution limits imposed by the Political Reform Act of 1974, payments for communications to an organization's members, employees, shareholders, or their family members, to support or oppose a candidate or ballot measure are not contributions or expenditures if not made for general public advertisements, such as broadcasting, billboards, or newspaper ads. However, existing law requires that payments by a political party for communications to registered party members that would otherwise qualify as contributions or expenditures be reported in accordance with provisions governing the filing of periodic campaign reports, and governing the filing of reports online or electronically with the Secretary of State.

Existing law provides that the Political Reform Act does not nullify contribution limitations or prohibitions of any local jurisdiction that apply to elections for local elective office, except the limitations and prohibitions may not conflict with these provisions regulating payments for communications.

This bill would provide that certain restrictions and limitations by a local jurisdiction on payments for a member communication, as defined, would conflict with these provisions and would be prohibited.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

*The people of the State of California do enact as follows:*

SECTION 1. Section 85703 of the Government Code is amended to read:

85703. (a) Nothing in this act shall nullify contribution limitations or prohibitions of any local jurisdiction that apply to elections for local elective office, except that these limitations and prohibitions may not conflict with the provisions of Section 85312.

(b) Limitations and prohibitions imposed by a local jurisdiction on payments for a member communication, as defined in subdivision (c), that conflict with Section 85312 and which are thereby prohibited by subdivision (a) include, but are not limited to, any of the following:

(1) Source restrictions on payments for member communications that are not expressly made applicable to member communications by a state statute or by a regulation adopted by the commission pursuant to Section 83112.

(2) Limitations on payments to a political party committee for a member communication that are not expressly made applicable to member communications by a state statute or by a regulation adopted by the commission pursuant to Section 83112.

(3) Limitations on the scope of payments considered directly related to the making of a member communication, including costs associated with the formulation, design, production, and distribution of the communication such as surveys, list acquisition, and consulting fees that are not expressly made applicable to member communications by a state statute or by a regulation adopted by the commission pursuant to Section 83112.

(c) For purposes of this section, “member communication” means a communication, within the meaning of Section 85312, to members, employees, shareholders, or families of members, employees, or shareholders of an organization, including a communication by a political party to its members who are registered with that party.

SEC. 2. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.